

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1900 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO
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LAKHANLAL HARISINH SHAHU

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 1900 of 2001
MS RATNA VORA for Petitioner No. 1
Mr. HL Jani, AGP for Respondent No. 1-3
MS PJ DAVAWALA for Respondent No. 4

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 21/06/2001

ORAL JUDGEMENT

Today, when the matter was taken up for hearing,
learned advocate Mr. Ratan Vora has not remained present.
Even on the earlier occasion on 16.6.2001 also, learned
advocate Mr. Ratan Vora has not remained present.

Learned AGP Mr. H.L. Jani has remained present for respondents nos. 1 to 3. Learned Additional Standing Counsel Ms. Davawala has remained present for respondent No.4.

Learned AGP Mr. Jani has made a statement before this court that the impugned order dated 28th November, 2000 was passed against the petitioner under the provisions of the Prevention of Black Marketing and Maintenance of Essential Supplies Act, 1980 and the said period of detention has already expired on 28th May, 2001 and the petitioner has been released on 28th May, 2001 and, therefore, the present petition is not surviving. Therefore, considering the said statement made by Mr. Jani, according to my opinion, since the order of detention is not remaining in force, this petition is required to be disposed of without examining legality, validity and propriety of the impugned order of detention as the duration of detention as per the order has already expired and the petitioner has already been released from the detention. Therefore, this petition is ordered to be disposed of as having become infructuous. Rule is discharged. No order as to costs.

21.6.2001. (H.K. Rathod, J.)

Vyas